

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**CORE WIRELESS LICENSING)
S.A.R.L.,)
Plaintiff,) CIVIL ACTION NO. 6:12-CV-100
vs.)
JURY TRIAL DEMAND
APPLE INC.,)
Defendant.)**

**CORE WIRELESS LICENSING S.A.R.L.’S MOTION FOR EXPEDITED BRIEFING ON
ITS MOTION TO COMPEL DISCOVERY AND SEEK DISCOVERY SANCTIONS FOR
APPLE INC.’S LATE AND INCOMPLETE PRODUCTION OF PA CONSULTING
REPORTS AND DATABASES**

Pursuant to Local Rule 7(e), Plaintiff Core Wireless Licensing S.A.R.L. (“Core Wireless”) moves for an order expediting the briefing schedule as to its contemporaneously-filed Motion to Compel Discovery and Seek Discovery Sanctions for Apple Inc.’s Late and Incomplete Production of PA Consulting Reports and Databases (the “Motion”).

Fact discovery in this litigation closed on February 28, 2014 and Core Wireless’s opening expert reports are due in less than two weeks. Amended Docket Control Order [Dkt. No. 185]. Rebuttal expert witness reports are due on May 2, 2014, and expert discovery closes on May 27, 2014. *Id.* Apple Inc. (“Apple”) has repeatedly refused to provide meaningful additional discovery on the PA Consulting reports and databases as Core Wireless has requested. Some of the materials Core Wireless is seeking are the same materials that Apple’s experts relied on to calculate royalty rates in the *Motorola v. Apple* litigation. Declaration of John D. Beynon,

Exh. 3 (Suppl. Expert Report (*Apple v. Motorola*)) at p.16, fn. 44 (citing PA Consulting LTE Database and Reports). These same materials must be made available to Core Wireless's experts for expert discovery, including to supplement their reports if necessary.

Accordingly, Core Wireless proposes the following schedule:

Brief	Due Date
Apple's Response to the Motion	Monday, March 31, 2014
Core Wireless's Reply, as needed	Monday, April 7, 2014

The expedited briefing is further appropriate because Core Wireless requested these documents more than two months ago. *Id.*, Exh. 10 (1/24/2014 Letter to Apple). Since that letter Apple has been delaying and postponing production of the requested materials, including requiring Core Wireless to call PA Consulting's legal counsel, and implementing an inspection and review process.

For good cause shown, Core Wireless respectfully requests that the Court enter an order adopting the above-proposed expedited briefing schedule concerning the Motion.

Dated: March 24, 2014

Respectfully Submitted,

By: /s/ Henry C. Bunsow

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**ATTORNEYS FOR PLAINTIFF
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed.R.Civ.P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of this document via email, facsimile and/or U.S. First Class Mail.

Dated: March 24, 2014

/s/ Henry C. Bunsow
Henry Bunsow

CERTIFICATE OF CONFERENCE

The undersigned certifies that on March 17, 2014 Apple responded in an email to Core Wireless's request to expedite the Motion by objecting to an expedited briefing.

Dated: March 24, 2014

/s/ Henry C. Bunsow
Henry Bunsow